

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jun 24, 2022**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Michael John Coe

Case Number: 0980 2:15CR00126-WFN-1

Address of Offender: [REDACTED] Spokane, Washington 99201

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: September 8, 2016

Original Offense: Possession With Intent to Distribute Heroin, 21 U.S.C. § 841(a)(1), (b)(1)(c)

Original Sentence: Prison - 48 Months;
TSR - 84 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Richard R. Barker

Date Supervision Commenced: October 2, 2020

Defense Attorney: Federal Public Defender

Date Supervision Expires: October 1, 2027

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 06/02/2022, 06/22/2022, and 06/23/2022.

On October 2, 2020, Mr. Coe's conditions of supervised release specific to 2:15CR00126-WFN-1 were reviewed with him telephonically due to the current and continued COVID-19 pandemic. On November 18, 2020, Mr. Coe reported to the U.S. Probation Office in Spokane, and signed his conditions of supervised release as previously reviewed with him.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Standard Condition #2: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Supporting Evidence: Mr. Michael Coe is alleged to have violated standard condition number 2 by ingesting marijuana on or about June 8, 2022, based on urinalysis testing.

Specifically, on May 26, 2022, Mr. Coe submitted a urinalysis sample that reflected as being presumptive positive for marijuana. On June 1, 2022, the undersigned officer received a call from Mr. Coe in which he admitted to having used marijuana as most recently occurring on or about May 29, 2022. This information was previously reported to the Court in the petition dated June 2, 2022.

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Mr. Coe has since tested presumptive positive for marijuana on June 7, 8, 14, and 23, 2022. He continues to indicate that his continued testing positive for marijuana is simply residual from his most recent use occurring on or about May 29, 2022.

On June 21, 2022, a toxicology report was requested with regard to the client's June 7 and 8, 2022, urinalysis samples, noting the client's most recent admitted use as having occurred on May 29, 2022, based on the client's admission. On June 23, 2022, the toxicology report was received back from the Abbott Toxicology director of toxicology, in which after consideration of the facts, drafted an interpretation memorandum outlining the parties professional opinion that Mr. Coe reused marijuana prior to the June 8, 2022, urinalysis test citing "the increase in the normalized level of drug present in the urine specimen collected on June 8, 2022, the unusually low creatinine concentration and the ratio between the specimens collected on June 7, and June 8, 2022."

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 24, 2022

s/Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

6/24/2022

Date